

MICHIGAN DEPARTMENT OF EDUCATION

School Bus Driver Medical Examination

Questions and Answers

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Questions 17 and 18 added	07/27/11
Questions 6, 7, 8, 9, 10, and 17 updated	08/22/12
Question 19 added	08/22/12

1. What is the effective date of the new law regulating medical examinations for school bus drivers?

The Governor signed PA 93 of 2010, which amended the medical examination procedure for school bus drivers, on June 22, 2010. The bill took immediate effect, so the effective date of the new law is June 22, 2010.

2. Our school bus drivers had their medical examinations completed on June 21, 2010. Do they have to be re-examined?

No. Their medical examinations were completed under state law which was in effect on that date. These examinations are valid for one year until June 21, 2011.

3. Some clinics had performed Michigan Department of Education (MDE) physicals on the 22nd and 23rd of June using the MDE physical form and blue cards. We did not find out about the bill being signed until the morning of the 24th. Since the bill was signed on the 22nd, are the physicals from the 22nd and 23rd still valid or do they need to be transferred to the DOT form and white card?

The answer is yes, the physicals are valid, but you will need to transfer the data to the USDOT forms and issue the USDOT Medical Examiner's Certificate (white card). If medical information may have been omitted as a result of using the MDE format, this will need to be updated, since as of June 22, 2010, the MDE medical form was no longer valid.

4. Who can serve as a Medical Examiner and perform DOT medical examinations?

Federal Motor Carrier Safety Regulations (FMCSR) define Medical Examiner as a person who is licensed, certified and/or registered in accordance with applicable state laws and regulations to perform physical examinations. The term includes, but is not limited to, doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic.

5. What form will the physician performing the medical examination be required to fill out?

The medical examiner will be required to complete the Medical Examination Report #649-F, which can be obtained from the Federal Motor Carrier Safety Regulations or the Pupil Transportation website with MDE.

(Added 07/13/12)

(Updated 08/22/12)

6. Can a person obtain DOT medical certification if they have diabetes?

An individual that is not an insulin dependent diabetic may obtain a USDOT medical certification white card under the provisions found in 391.41 (b) (3).

(Updated 07/13/10)

(Updated 08/22/12)

7. Will drivers who qualify for the diabetes exemption be able to obtain a white USDOT physical card (certificate)?

No, due to the Michigan exemption, insulin dependent diabetics will not be certified using the federal standards. Insulin dependent diabetic school bus drivers employed on June 22, 2010, will be eligible for the Michigan exemption. The medical examiner completes the USDOT medical form and the driver and his/her physician shall complete the diabetes surveys. If the medical examiner determines the individual's diabetic condition is properly controlled, pursuant to 257.1853(c), he/she may issue a one year Michigan Bus Driver Certificate of Medical Fitness Card, SM-2934 (blue card).

(Updated 07/13/10)

(Updated 08/22/12)

8. Will individuals with diabetes who are applying to be a school bus driver be eligible for the Michigan diabetes exemption?

No, the diabetes exemption is in place to allow school bus drivers who were actively employed on the amendatory date of this legislation, June 22, 2010, to continue as school bus drivers. All new drivers must comply with the USDOT medical examination standards. Refer to question 6 for additional information.

(Updated 08/22/12)

9. Will diabetic school bus drivers who possess a MDE blue card maintain the diabetes waiver if they take a position with a different school district or employer?

Yes, there are only three requirements to qualify for the exemption. 1- The driver was employed as a bus driver on June 22, 2010; 2- Diabetes was noted at the time of that medical examination; and 3- The requirements of subdivision MCL 257.1853 (1) (c) are met.

(Added 07/13/10)

(Updated 08/22/12)

10. Will school bus drivers be eligible to access the waiver procedure with the Motor Carrier Safety Appeal Board as found in MCL 480.13?

Yes. The MCL 480.15 was amended to read "except for the purpose of granting a waiver in accordance with section 53 of the pupil transportation act, 1990 PA 187, MCL 257.1853, this act and the rules promulgated under this act do not apply to a school bus as defined in the pupil transportation act." The amendment took effect on September 27, 2011 and allows a bus driver to apply for a waiver from the insulin dependent diabetic rule only.

(Added 07/13/10)

11. On June 21, 2010, some of our school bus drivers had both a valid DOT white card and MDE blue card. The DOT white cards do not

expire for several months. Do these drivers have to obtain a new DOT medical examination and white card (medical certificate)?

No. Credentials follow the individual. If a school bus driver possesses a valid USDOT white card, that person would not need to be re-examined until the expiration date of the white card unless the driver's employer requires the individual to be re-evaluated for purposes or reasons determined at the local level.

12. We have had bus drivers experience raised blood pressure when they go for their physical. The doctor performing the physical usually sends them to their personal physician for clearance. Will this still be allowed under the USDOT physical qualifications?

Yes, this practice should not present a problem as long as the medical examiner performing the examination meets the FMCSR definition as a health professional who can legally perform USDOT medical examinations.

(Updated 07/13/10)

13. Currently, we obtain our blue MDE physical cards from our training agency. Where will we get the white USDOT cards?

The white medical certificates (cards) will be available from MDE and distributed to training agencies. Pupil transportation providers can also access the medical certificates by going to the MDE pupil transportation website and downloading paper copies of the USDOT medical certificate. The medical certificates are valid as long as they are signed by an appropriate medical examiner. Additionally, the SM-2934 cards referred to as "blue cards" will still be available from MDE since these cards will be required for certified school bus drivers that were diagnosed with diabetes and employed as a school bus driver on the effective date of this Act, which was June 22, 2010.

14. How are USDOT medical certificates (white cards) issued?

If the medical examiner finds that the person he/she examined is physically qualified to drive a commercial motor vehicle, the medical examiner will furnish one copy of the results to the examined person and will complete a Medical Examiner's Certificate.

15. Our school district is concerned about the health of a driver and concerned about going to two-year physicals.

Even though USDOT medical examinations may be valid for up to 24 months, the medical examiner may issue a medical certificate for less than 24 months when it is necessary to monitor certain medical conditions. Additionally, a school district has the option of developing local policy which would require their school bus drivers to complete an annual physical examination. This decision would be made at the local district level.

16. Where can I find information regarding the USDOT physical requirements?

The full rules and supporting documents can be found at the following link:
<http://www.fmcsa.dot.gov/rulesregulations/administration/fmcsr/fmcsrruletext.aspx?reg=r49cfr391.41>

(Updated 07/27/11)

(Updated 08/22/12)

17. A non-insulin dependent diabetic school bus driver was medically certified to drive a school bus prior to June 22, 2010, under the USDOT medical examination procedure. Now, one year later, the

driver is insulin dependent. Can the driver be medically certified to drive a school bus?

Yes, as long as the driver was employed as a school bus driver on June 22, 2010, and diabetes was noted on his/her medical examination report. But he/she will not be eligible for the USDOT "white" medical card. If the medical examiner determines the individual's diabetic condition is properly controlled, pursuant to 257.1853 (1)(c), he/she may issue a one year Michigan Bus Driver Certificate of Medical Fitness Card, SM-2934 (blue card).

(Added 07/27/11)

18. Does the revised medical examination using the USDOT format and the exception for currently employed insulin dependent diabetic school bus drivers create two-classes of school bus drivers; one interstate qualified and one intrastate qualified?

All intrastate school bus drivers are regulated by Act 187, the Pupil Transportation Act, and must have a medical certificate to legally drive a school bus; either a white USDOT medical exam certificate or a blue MDE certificate for "grandfathered" insulin dependent diabetic drivers.

For interstate operations things are a little more complicated.

A bus driver that possesses a white USDOT medical card can operate in interstate operations regardless of the type of operation.

Federal regulation 390.3 (f) (2) exempts transportation performed by the Federal government, a State, or any political subdivision of a State..., and a school is a political subdivision of a State and is exempt from USDOT regulations for interstate operations as stated in federal regulation 390.5 which defines school operations as the transporting of students from home to school or school to home. A school bus driver that possesses a blue MDE medical card can operate in interstate operation if they are employed by a public school district transporting students from home to school or from school to home. A school bus driver that possesses a blue MDE medical card can not legally transport students to attend activities or events out of state, such as out of state field trips.

If a school bus driver is employed by a contractor or a private, non-public school, a blue MDE medical card is not valid for interstate operation. Employees of these types of organizations are required to possess a USDOT (white) medical card for all interstate operations.

(Added 08/22/12)

19. A non-diabetic school bus driver was employed by the school district prior to June 22, 2010, and drove school bus under the USDOT medical certification (white card) provisions. Now, two years later in June of 2012 the driver has become insulin dependent diabetic. Is the driver eligible to obtain the Michigan Bus Driver Certificate of Medical Fitness Card, SM-2934 (blue card) and does this driver have to request a waiver from the Motor Carrier Safety Appeal Board as identified in MCL 480.13?

To qualify for the exemption in MCL 257.1853(b)(ii) a person must have been a school bus driver on the effective date of the amendatory act (June 22, 2010) and diabetes must have been noted on their medical examination report. Because this person was not diagnosed with diabetes on June 22, 2010, he/she is not eligible for the exception and must apply for a waiver from the Motor Carrier Safety Appeal Board.